

Responsive Remarks

This amendment is filed pursuant to a request for continued examination. Claims 3, 15-22, 29, and 30 are pending. Claims 3, 15-22, 29 and 30 are amended. Please cancel claim 23.

The Examiner's attention to the application, and his suggestion of allowable claims, are noted with thanks.

The Examiner suggested amendment of dependent claim 19 in a manner to place it in condition for allowance. Applicant adopts the Examiner's suggested claim, and has amended claim 19 accordingly. Claim 19, which is rewritten in independent claim, is in condition for allowance.

The Examiner also suggested amendment of independent claim 21 in a manner to place it in condition for allowance. Applicant adopts the Examiner's suggested claim, and has amended claim 21 accordingly. Claim 21 as amended is in condition for allowance. Claims 3, 22, and 29 depend from claim 21 and thus also are allowable.

Independent claim 15 stands rejected under 35 U.S.C. Section 103(a) as being unpatentable over Ohta et al. '456 in view of Molinaroli '984. The rejection is overcome by amendment to claim 15. Claim 15 has been extensively amended, primarily to clarify expression to more distinctly claim the subject matter which Applicant regards as his invention. However, claim 15 also has been amended to specify the inclusion of "a *double-throw* inertia reversal sensor for sensing reversals in the direction of inertia" and that "said double-throw inertia reversal sensor and said controller modify the type of display based on the kinetic energy applied to the sensor" Ohta et al. disclose only the use of a *single-throw* sensor, with its inherent limitation for detecting only a full-cycle (i.e., "over and back") reversal of inertia. See Ohta et al., column 5, lines 3-10 and Figs. 11(a) and 11(b). And Molinaroli does not supply the teaching absent from Ohta et al.; Molinaroli discloses a "centrifugal" switch (of unspecified configuration/function) and "reed" type switches, but no double-throw sensor as claimed by Applicant. See Molinaroli column 3, lines 58-62. Moreover, Molinaroli's switches are for timing his display, not modifying the type of display as now claimed by claim 15. Since neither

Ohta et al. nor Molinaroli, not the combination of them, teach or suggest the use of a “double-throw” inertia reversal sensor to “modify the type of display based on the kinetic energy applied to the sensor,” claim 15 as amended is allowable.

Claim 16 was rejected under 35 U.S.C. Section 102(e) as being anticipated by U.S. Patent No. 6,239,774 to Altman, and under 35 U.S.C. Section 103(b) as being unpatentable over U.S. Patent No. 4,470,044 to Bell in view of the patent to Altman. These rejections are overcome by amendment to claim 16. As amended, claim 16 now recites “a *multi-degree sensor* for detecting *angular motion* of said lighted array; said controller being programmed to process changes in inertia detected by said multi-degree sensor” (Emphasis added.) Altman discloses a device that is moved to-and-fro, and thus employs a simple sensor solely for detecting reversals of inertia. Altman, column 4, lines 7-59. No multi-degree sensor as disclosed and claimed by Applicant is shown or suggested. Thus Altman cannot anticipate claim 16 as amended. Further, the patent to Bell does not supply the subject matter not taught by Altman. Bell does not seem to teach the use of motion sensors at all, but certainly does not show any multi-degree sensor for detecting angular motion as now required by claim 16. Since Bell and Altman do not suggest the use of this limitation required by claim 16, claim 16 as amended is now allowable. Claims 17, 18, 20 and 30 depend from claim 16 and thus are likewise allowable.

Please cancel claim 23 without prejudice. Applicant reserves the right to reclaim the subject matter of claim 23 in a continuing or divisional application.

The Examiner objected to claims 15, 16, 21 and 23 due to informalities in the preambles of those claims. The claims have been amended to eliminate the dual claim to “device and method.”

Claim 17 was objected to under 37 CFR 1.75.c for being of improper dependent form (failing to further limit the subject matter of a previous claim). Both claim 17, and claim 16 from which it depends, have been amended to correct the informality.

Claims 17-20 were rejected under 35 U.S.C. Section 112, first paragraph, as failing to comply with the written description requirement. Prior to amendment, claim 16 recited an

inertial reversal sensor, which type of sensor the Examiner correctly perceived to be inconsistent with the subject matter of claims 17-20. The rejection is overcome by amendment to the claims. Claims 16, 17, and 30 have been amended to harmonize the type of sensor used (as recited in independent claim 16) with the subject matter of the dependent claims. Claim 19 was re-written in independent form, and thus no longer is inconsistent with claim 16. Claim 20 has been amended to depend from claim 21, thus also overcoming the rejection thereof under Section 112, first paragraph.

Claims 3, 16-22 and 29 were rejected under 35 U.S.C. Section 112, second paragraph, for various perceived problems with lack of antecedent bases for certain recited elements, and for using allegedly vague or ambiguous language. All the claims have been amended to address the various concerns expressed in paragraph 8 of the recent Office Action, and the claims are believed to be allowable under Section 112, second paragraph.

Claim 18 stands rejected under 35 U.S.C. Section 103(a) as being unpatentable over Bell in view of U.S. Patent No. 6,249,998 to NakaMats. However, claim 18 depends from claim 16, which has been amended to place it in condition for allowance. Neither Bell nor NakaMats teaches the patentable subject matter of claim 16, including the recitation of “a multi-degree sensor for detecting angular motion of said lighted array” Dependent claim 18 accordingly is allowable over Bell in view of NakaMats.

Claim 30 stands rejected under 35 U.S.C. Section 103(a) as being unpatentable over Bell in view of U.S. Patent No. 4,264,845 to Bednarz. However, claim 30 depends from claim 16, which has been amended to place it in condition for allowance. Neither Bell nor Bednarz teaches the patentable subject matter of claim 16, including the recitation of “a multi-degree sensor for detecting angular motion of said lighted array” Dependent claim 30 accordingly is allowable over Bell in view of Bednarz.

It is noted again that claims 3, 22, and 29 were acknowledged by the Examiner as being allowable as dependent upon claim 21 as amended per the Examiner’s suggestion.

Reconsideration of the claims, as amended, is requested. Applicant respectfully solicits the allowance of all claims.

Respectfully submitted,

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By: 
Arthur Lane Bentley

10252 South 2375 East
Sandy, Utah 84092